

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

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AT RICHMOND, DECEMBER 7, 1998

APPLICATION OF

THE WATERWORKS COMPANY OF
FRANKLIN COUNTY

CASE NO. PUE980811

To revise tariff

ORDER SUSPENDING REVISIONS AND SCHEDULING HEARING

On November 16, 1998, the Commission's Division of Energy Regulation received from The Waterworks Company of Franklin County ("Company") copies of a revised tariff and notice to customers filed as required by Rule 4 of the Commission's Rules Implementing the Small Water or Sewer Public Utility Act, 20 VAC 5-200-40 ("Small Water Act Rules"), and § 56-265.13:5 B of the Code of Virginia. As set out in its revised tariff, the Company proposes to increase its rates and charges for water service. It would charge a flat rate of \$80.50 per quarter, paid in advance, and an availability fee of \$100.00 per year. The Company also proposes hook-up and connection fees of \$1,250. The revised rates and charges would take effect January 1, 1999. The notice to customers included in the filing was dated November 13, 1998.

The Commission finds that, as provided by § 56-265.13:6 A of the Code of Virginia and Rule 7 of the Small Water Act Rules,

the proposed availability fee and the proposed hookup and connection fee shall be suspended 60 days. Thereafter the proposed fees shall be interim and subject to refund with interest until the Commission has made a final determination in this proceeding. The Commission will not suspend the proposed minimum quarterly charge of \$80.50. The proposed charge is declared interim and shall be subject to refund with interest. The Commission also finds that this matter should be assigned to a hearing examiner who will conduct a hearing on the application. Accordingly,

IT IS ORDERED THAT:

(1) The Company's application shall be docketed; be assigned Case No. PUE980811; and that all associated papers be filed therein.

(2) The proposed availability fee and hookup and connection fee bearing an effective date of January 1, 1999, be suspended for 60 days, or to and through March 1, 1999, and thereafter proposed rates and charges shall be interim and subject to refund with interest until the Commission makes a final determination in this proceeding.

(3) The proposed minimum quarterly charge be declared interim and subject to refund with interest.

(4) As provided by § 12.1-31 of the Code of Virginia and Rule 7:1 of the Commission's Rules of Practice and Procedure

("Rules of Practice"), 5 VAC 5-10-520, a hearing examiner be assigned to conduct further proceedings on behalf of the Commission and to file a final report with transcript.

(5) A public hearing be held on this application beginning at 10:00 a.m. on February 3, 1999, in the Commission's courtroom, Second Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia.

(6) On or before December 29, 1998, the Company shall file with the Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, an original and ten (10) copies of the testimony and exhibits that it intends to offer at the hearing in support of its application; prepared testimony and exhibits shall include the information required in Rule 8 of the Small Water Act Rules, 20 VAC 5-200-40.

(7) The Commission Staff shall investigate the application and, on or before January 22, 1999, shall file with the Clerk of the Commission an original and ten (10) copies of the testimony and exhibits that it expects to offer at the hearing and shall serve one (1) copy on all parties.

(8) On or before December 29, 1998, any person who expects to offer testimony and exhibits; to cross-examine witnesses; and to participate as a Protestant, as provided by Rules 4:6 and 8:2 of the Rules of Practice, 5 VAC 5-10-180, -540, shall, as required by Rule 5:16(a) of the Rules of Practice, 5 VAC 5-10-

420(a), file with the Clerk of the Commission a notice of protest and shall simultaneously serve a copy on Robert A. Winney, The Waterworks Company of Franklin County, 430 Windtree Drive, Moneta, Virginia 24121-3106.

(9) Within five (5) days of receipt of a notice of protest, the Company shall serve upon the filer a copy of its proposed tariff and a copy of all testimony and exhibits that it expects to offer at the hearing.

(10) On or before January 22, 1999, each Protestant shall file with the Clerk an original and ten (10) copies of its protest, as required by Rule 5:16(b), 5 VAC 5-10-420(b), and an original and ten (10) copies of the testimony and exhibits that it intends to offer in support of its protest and shall serve one (1) copy of the protest, testimony and exhibits on the Company and on all other parties.

(11) The Company shall promptly make available for public inspection at the Franklin Public Library, 138 East Court Street, Rocky Mount, Virginia, copies of its proposed tariff and copies of all materials which it will file with the Clerk of the Commission.

(12) Individuals with disabilities who require an accommodation to participate in the hearing should contact the Commission at least seven (7) days before the scheduled hearing date at 1-800-552-7945 (voice) or 1-804-371-9206 (TDD).

(13) Written comments on this application may be addressed to the clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. Comments should refer to Case No. PUE980811 and should be received by January 22, 1999. Any persons desiring to make a statement at the public hearing need only appear in the Commission's second floor courtroom at 9:45 a.m. on the day of the hearing and contact the Bailiff.

(14) On or before December 16, 1998, the Company shall serve a copy of this order by first-class mail, postage prepaid, on all customers.

(15) On or before December 30, 1998, the Company shall file with the Clerk a certificate stating the date of mailing and the name and mailing address of all customers served.